



PROGRAM ANNOUNCEMENT

American Recovery and Reinvestment Act of 2009 (ARRA) Leaking Underground Storage Tank (LUST) Cleanup Program

1. Introduction

The Hawaii State Department of Health (DOH) is seeking leaking underground storage (LUST) sites to assess and cleanup with new funds received from U.S. Environmental Protection Agency (EPA). DOH encourages owners of LUST sites and others to read this program announcement and contact the Solid and Hazardous Waste Branch (SHWB) for further information.



The American Recovery and Reinvestment Act of 2009 (ARRA) appropriated \$197 million nationwide to clean up releases from leaking underground storage tanks (LUSTs). Hawai'i has received \$1.3M from U.S. EPA as its share of the national program funds. The goals of the ARRA LUST program are to clean up LUST sites and maximize job creation. As such, the ARRA LUST Program will help protect public health and stimulate the U.S. economy.

States will accomplish these goals by either overseeing or performing environmental evaluations and cleanups at selected LUST sites. Where responsible parties are unknown, unwilling, or unable to finance cleanup, the State will hire and pay environmental professionals to assess and cleanup the contamination. Where appropriate, the State will seek to recover its costs from those responsible under the law.

If you are the owner of a LUST site, you may be able to benefit significantly from this special program while protecting the environment and stimulating the economy. Please read this program announcement and contact Dr. Darren Park the ARRA LUST Program Manager for more information. The program manager can be reached by e-mail at: darren.park@doh.hawaii.gov; or by phone at 808-586-4226.

2. Program Description

The Hawai'i ARRA LUST Program is being managed by the DOH Solid and Hazardous Waste Branch (SHWB). The Program will occur in five phases: 1) site identification, 2) site selection, 3) work plan development and program agreement, 4) site evaluation and/or cleanup, and 5) cost recovery, if appropriate. These phases are summarized below:

-  **Phase 1:** DOH will compile a list of LUST sites, determine their eligibility for ARRA LUST funding, and notify applicants of the results.
-  **Phase 2:** Eligible sites will be further evaluated according to criteria presented

below. Approximately 5-10 sites will be selected and prioritized for possible assessment and/or cleanup under the ARRA LUST Program.

- ✚ **Phase 3:** More detailed work plans for assessment and/or cleanup will be developed for each site. DOH will make preliminary cost estimates and decide how many sites can be addressed with currently available funding. Program participants will be selected and invited to participate in the ARRA LUST Program with DOH. DOH will request a “Letter of Interest” from interested parties affirming their commitment to the goals of the Program.
- ✚ **Phase 4:** DOH will either oversee or conduct the needed work at each site. Where responsible parties are unknown, unwilling, or unable to finance cleanup, the DOH will hire environmental professionals to assess and cleanup the contamination. Once a cleanup is completed, DOH will issue an official No Further Action Letter to the participants.
- ✚ **Phase 5:** DOH will attempt to recover as much of taxpayers’ money as possible from those responsible for the contamination. Any funds recovered or additional funds received from U.S.EPA will be applied to other eligible LUST sites for assessment and cleanup.

3. Eligible Sites and Activities for ARRA LUST Cleanup Funds

Any underground storage tank site with a suspected or confirmed release may be eligible for this new Program. If you own or know of a potential LUST site, please call the Program Manager for more information and to determine your eligibility.

The Hawai’i ARRA LUST Program allows for the following site activities:

- Investigation of suspected leaks and identification of the source;
- Comprehensive site investigations;
- Exposure assessments to determine potential health effects;
- Development of corrective action plans; and
- Site cleanup, including removal, treatment, and disposal contamination.

DOH expects that economically viable responsible parties will work cooperatively under State oversight to assess and cleanup contamination. Responsible parties who cannot afford to assess and clean up contaminated property may be eligible for direct funding through the ARRA LUST Program at no cost to them.

4. Key Elements for Program Implementation

Time is of the essence in the ARRA LUST Program. We encourage potential participants to contact the program manager as soon as possible. The key elements guiding implementation of the program are as follows:

<u>Program Element</u>
1. Issue <i>ARRA LUST Program Announcement</i> .
2. Gather preliminary information on potential participants and determine eligibility.
3. Gather additional information and perform detailed evaluation of site conditions.
4. Prioritize eligible sites for funding under the ARRA LUST Program.
5. Determine the sites to receive ARRA LUST Program funding.
6. Receive ARRA LUST Letters of Interest and negotiate work plans with participants.
7. Perform assessment and/or cleanup work.
8. Issue official State No Further Action Letter(s).

5. Selection Criteria

<u>Selection Criteria</u>	<u>Weight</u>
1. Public health and/or environmental risk.	40%
2. Project readiness Gather preliminary information on potential participants and determine eligibility.	40%
3. Cost effectiveness of project	20%

6. ARRA LUST Model Letter of Interest

See Attached

Example ARRA LUST Model Letter of Interest

(Date)

Department of Health
Solid and Hazardous Waste Branch
919 Ala Moana Boulevard, Room 212
Honolulu, Hawaii 96814

Attention: Dr. Darren Park

Reference: (Address of Property)

Dear Dr. Park:

Thank you for your (date) letter informing (company/individual) that the (property address) site qualifies for American Recovery and Reinvestment Act of 2009 (ARRA) assistance. We affirm our acceptance into the ARRA LUST Program by submitting this “Letter of Interest”. We understand this is a state-led program and will provide logistical support and access privileges for the State’s contractors and their equipment for the cleanup work.

If you have any questions, please contact (company/individual) at (contact information).

Very truly yours,

(Signature)

(Company/Individual)